

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOHN ROBERT DEMOS, JR.,

Plaintiff,

v.

ALEX GORSKY, et al.,

Defendants.

CASE NO. C22-834-RSM-BAT

**REPORT AND  
RECOMMENDATION**

Plaintiff is well-known locally and nationally as an abusive litigant. He is under pre-filing bar orders in a number of courts, including this Court, the Eastern District of Washington, the Washington State courts, the Ninth Circuit Court of Appeals, and the United States Supreme Court. *See, e.g., Demos v. Storrle*, 507 U.S. 290, 291 (1993). In the current proposed action, plaintiff alleges that the CEOs of Johnson & Johnson, Wells Fargo, and Google breached an oral agreement to give plaintiff controlling shares of their companies in return for his vote to bailout their companies. Dkt. 1-1, at 3, 9. He does not, however, allege any facts that would substantiate a case based on federal law or suggest why federal jurisdiction exists. He has not paid the civil filing fee and has not submitted an IFP application.

As a bar order litigant, plaintiff may submit only **three** IFP applications and proposed actions each year. *See In re John Robert Demos*, MC91-269-CRD (W.D. Wash. Jan. 16, 1992);

1 *In re Complaints and Petitions Submitted by John Robert Demos* (W.D. Wash. Dec. 15, 1982).  
2 Furthermore, under 28 U.S.C. § 1915(g), plaintiff must demonstrate “imminent danger of serious  
3 physical injury” to proceed IFP because he has had numerous prior actions dismissed as  
4 frivolous, malicious, or for failure to state claim. *See Demos v. Lehman*, MC99-113-JLW (W.D.  
5 Wash. Aug. 23, 1999).

6 Plaintiff may not proceed with this action. Because plaintiff has had more than three prior  
7 actions dismissed as frivolous, malicious, or for failure to state a claim, he may not proceed *in*  
8 *formal pauperis* unless he alleges that he is in “imminent danger of serious physical injury.” 28  
9 U.S.C. § 1915(g); *Demos*, MC99-113-JLW. Plaintiff’s proposed complaint does not contain “a  
10 plausible allegation that [he] faced imminent danger of serious physical injury at the time of  
11 filing.” *Andrews v. Cervantes*, 493 F.3d 1047 (9th Cir. 2007) (internal citations omitted). It also  
12 contains no federal claims and is patently frivolous.

13 The Court recommends **DENYING** plaintiff IFP status and **DISMISSING** the proposed  
14 complaint, Dkt. 1, without prejudice in accordance with 28 U.S.C. § 1915(g) and standing bar  
15 orders. *See In re John Robert Demos*, MC91-269-CRD (W.D. Wash. Jan. 16, 1992); *In re*  
16 *Complaints and Petitions Submitted by John Robert Demos* (W.D. Wash. Dec. 15, 1982). A  
17 proposed Order is attached.

18 The Clerk should note the matter for **June 15, 2022**, as ready for the District Judge’s  
19 immediate consideration.

20 DATED this 15th day of June, 2022.

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23 BRIAN A. TSUCHIDA  
United States Magistrate Judge